

Re: Phillips

From: David Berlin (davidberlin13@yahoo.com)
To: TSmith@eckertseamans.com
Cc: jwirt@wirtlawfirm.com; pcwirt@wirtlawfirm.com
Date: Thursday, October 5, 2017, 10:04 AM EDT

Very good. Thanks for letting me know.

Sent from my iPhone

On Oct 5, 2017, at 10:00 AM, Thomas M. Smith <TSmith@eckertseamans.com> wrote:

Thanks David I found it.

Thomas M. Smith, Esq.

ECKERT SEAMANS CHERIN & MELLOTT, LLC

10 Bank Street • Suite 700 • White Plains, NY 10606

Direct (914) 286.2807

tsmith@eckertseamans.com

eckertseamans.com | [vCard](#)

From: David Berlin [<mailto:davidberlin13@yahoo.com>]
Sent: Thursday, October 05, 2017 9:59 AM
To: Thomas M. Smith
Cc: John Wirt; Pam Wirt
Subject: Re: Phillips

Okay. If you don't have it, let me know and I'll resend.

David Berlin

EXHIBIT F

Attorney at Law

207 East 94th Street

Mezzanine Level

New York, NY 10128

(917) 202-8700

davidberlin13@yahoo.com

<https://boxinglegal.com/>

On Thursday, October 5, 2017 9:49 AM, Thomas M. Smith <TSmith@eckertseamans.com> wrote:

I will look for it

Thomas M. Smith, Esq.

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From: David Berlin [<mailto:davidberlin13@yahoo.com>]

Sent: Thursday, October 05, 2017 9:49 AM

To: Thomas M. Smith

Cc: John Wirt; Pam Wirt

Subject: Re: Phillips

In a separate email, John sent around a link to all of the attorneys, which included the Notice of Pendency. Did you receive it?

David Berlin

Attorney at Law

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On Thursday, October 5, 2017 9:46 AM, Thomas M. Smith <TSmith@eckertseamans.com> wrote:

You drop box link for the nop did not open,

Thomas M. Smith, Esq.
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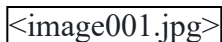
tsmith@eckertseamans.com

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From: David Berlin [<mailto:davidberlin13@yahoo.com>]
Sent: Wednesday, October 04, 2017 5:12 AM
To: Thomas M. Smith
Cc: John Wirt; Pam Wirt; solomon n. klein (sklein@schlamstone.com)
Subject: Re: Phillips

Thanks for providing the new email address. Below is a link, via Dropbox, to the Notice of Pendency.

Best,
David



NOP Filed Stamped Copy.pdf

Pdf via Dropbox

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On Tuesday, October 3, 2017 1:06 PM, Thomas M. Smith <TSmith@eckertseamans.com> wrote:

David:

Thank you for the update. If you could, please include Solomon Klein on all emails to me. His new email address is on this.

Thomas M. Smith, Esq.
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From: David Berlin [<mailto:davidberlin13@yahoo.com>]
Sent: Tuesday, October 03, 2017 4:53 AM
To: Thomas M. Smith
Cc: John Wirt; Pam Wirt
Subject: Re: Phillips

Hi Tom,

We have filed our Petition in Surrogate's Court but my understanding is that we must serve the parties pursuant to the SCPA, which means that I cannot ask you to accept service on behalf of your client. I will send the Petition in a separate email.

We also filed, on October 2, a Notice of Pendency with the Kings County Clerk. Please know that we continue to be willing to sign a separate agreement along the lines we had previously discussed, one that will protect our clients' interests and at the same time not cause harm to your client. As discussed before, we would of course withdraw the Notice of Pendency once we finalize an agreement. I will send the Notice of Pendency in a separate email as well.

Sincerely
David

David Berlin
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On Tuesday, August 22, 2017 12:15 AM, David Berlin <davidberlin13@yahoo.com> wrote:

Tom,

Sorry about the delay in responding. I will send a petition with the request that you accept service once we file in Surrogate's Court. I expect that to take place soon.

Best,
David

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On Wednesday, August 16, 2017 10:31 AM, Thomas M. Smith <TSmith@eckertseamans.com> wrote:

Are you going to send a proposed pleading?

Thomas M. Smith, Esq.
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